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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EDWIN CRESPO, *et al.*,

Plaintiffs,

-v-

NEW YORK CITY POLICE OFFICER
JOSEPH FRANCO *et al.*,

Defendants.
-----X

ORDER

22-CV-7345 (PKC) (JLC)

JAMES L. COTT, United States Magistrate Judge.

As discussed at today's telephone conference, the Court set the following schedule:

By March 20, the parties shall settle an order (by submitting a proposed order) directing the unsealing of the files in the case of *People of the State of New York v. Joseph Franco*.¹

By March 27, the parties and representatives of the District Attorney of New York County ("DANY") shall meet and confer to determine the scope and timing of

¹ It is well-settled that the Court has authority to issue such an order in these circumstances. See, e.g., K.A. v. City of New York, No. 16-CV-4936 (LTS) (KNF), 2022 WL 1063125, at *2 (S.D.N.Y. Apr. 8, 2022) ("district courts do possess the authority to unseal state criminal records in the possession of a state district attorney, when the records are relevant to the federal lawsuit and 'the district attorney moves to quash a subpoena, or objects to a discovery demand'") (citation omitted); Bertuglia v. City of New York, No. 11-CV-2141 (JGK), 2014 WL 626848, at *1 (S.D.N.Y. Feb. 18, 2014) ("Because the [state] sealed records at issue here are sought for use in this federal lawsuit, the plaintiffs' application to have the [records] unsealed is properly before this Court."); Crosby v. City of New York, 269 F.R.D. 267, 275 (S.D.N.Y. 2010) ("Federal courts commonly order production of documents sealed [by a state court] pursuant to Sections 160.50 or 160.55.").

the production of information relevant to plaintiffs' claims against Franco in this case.

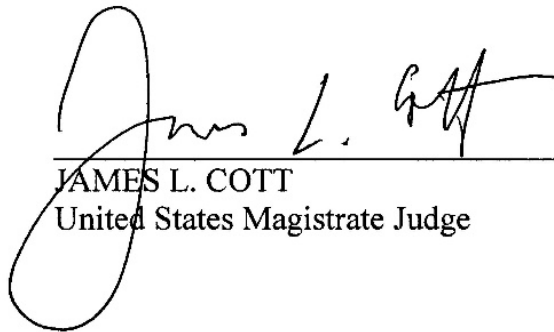
By April 4, the parties shall submit a status letter to the Court proposing a time frame for production and identifying any issues that require judicial resolution.

Counsel for plaintiffs are directed to provide a copy of this Order on the DANY.

SO ORDERED.

Dated: March 13, 2024

New York, New York



A handwritten signature in black ink, appearing to read "James L. Cott", is written over a horizontal line. Below the line, the text "JAMES L. COTT" and "United States Magistrate Judge" is printed.

JAMES L. COTT
United States Magistrate Judge